

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 10, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-25666 - APPLICANT/OWNER: FAIRFIELD CENTENNIAL, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:

1. The limits of this vacation application shall be the U.S. Government Patent Easements generally located on the south side of Centennial Parkway, west of Shaumber Road, retaining 50-feet for Centennial Parkway.
2. Coordinate with the Collection Systems Planning section of the Department of Public Works to provide an alternate sanitary sewer path for this site; grant necessary easements prior to or concurrent with recordation of an Order of Relinquishment of Interest.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by ZON-20479 may be used to satisfy this requirement provided that it addresses the area to be vacated.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
5. All development shall be in conformance with code requirements and design standards of all City Departments.
6. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

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7. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to Vacate U.S. Government Patent Easements, generally located south of Centennial Parkway and west of Shaumber Road. A similar Vacation (VAC-17077) was approved for the abandonment of these easements, but has since expired. This location has not changed substantially from when a previous Vacation (VAC-17077) abandoned these U.S. Government Patent Easements. The abandonment of these easements will allow an approved 414 unit multifamily residential development to continue as planned; staff recommends approval of this request.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
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| 07/20/2005 | The City Council approved an Annexation (ANX-5163) of properties generally located south of Centennial Parkway and east of Puli Drive. The Planning Commission and staff recommended approval of this request. |
| 09/05/2005 | The City Council approved a Rezoning (ZON-7536) from U (Undeveloped) [PCD (Planned Community Development) Master Plan Designation] to R-PD8 (Residential Planned Development – 8 Units Per Acre) and a Site Development Plan Review (SDR-7537) for a proposed 120-lot single-family residential development on 15 acres encompassing the subject site. The Planning Commission recommended approval. Staff recommended denial of both requests. |
| 06/07/2006 | The City Council approved a Rezoning (ZON-12345) from U (Undeveloped) [PCD (Planned Community Development) Master Plan Designation] under Resolution of Intent to R-PD8 (Residential Planned Development – 8 Units Per Acre) to PD (Planned Development) and a Site Development Plan Review (SDR-12342) for a proposed 118-lot single-family residential development on the subject site. The Planning Commission and staff recommended approval. |
| 12/20/2006 | The City Council approved a Vacation (VAC-17077) of U.S. Government Patent Easements; the same easements requested in this application request. |

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| 06/20/2007 | The City Council approved a Site Development Plan Review for a 414 unit multifamily residential development and a waiver of a five foot landscaping buffer where six foot is required. The City Council approved a General Plan Amendment (GPA-20474) to amend a portion of the Centennial Hills Sector Plan of the General Plan from: PCD (Planned Commercial Development) to: H (High Density Residential) on 15.54 acres. The City Council approved a Rezoning (ZON-20479) from: PD (Planned Development) to: R-4 (High Density Residential). The City Council approved a Variance (VAR-20472) to allow buildings heights of four stories where two stories and 35 is the maximum allowed. The Planning Commission recommended approval, whereas staff recommended denial of these requests. |
| 10/17/2007 | The City Council approved a Variance (VAR-23524) to allow a wall height of 12 feet where six feet is the maximum height allowed on the north south and east property lines, and to allow a total height of 15.5 feet where the maximum total height of a retaining and screening wall is 12 feet for a proposed 414-unit condominium development. The City Council approved a Tentative Map (TMP-23525) for a 414-unit condominium subdivision on 15.5 acres. Planning Commission recommended approval, whereas staff recommended denial of these requests. |
| 11/19/2007 | This Vacation (VAC-25666) was submitted to the Planning and Development Department. |
| 12/20/2007 | The Vacation (VAC-17077) expired. The developer decided to let the pervious Vacation expire and apply for this Vacation (VAC-25666). |
| <i>Related Building Permits/Business Licenses</i> | |
| There are no building permits or business licenses related to this request. | |
| <i>Pre-Application Meeting</i> | |
| A Pre-Application Meeting was not held, nor is one required for this type of request. | |

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| <i>Details of Application Request</i> | |
| <i>Site Area</i> | |
| Gross Acres | 15.50 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|--------------------------|-------------------------------|--|
| Subject Property | Undeveloped - Vacant | H (High Density Residential) | PD (Planned Development) with ROI - R-4 (High Density Residential) |
| North | Undeveloped - Vacant | Planned Community Development | PD (Planned Development) |
| South | Undeveloped - Vacant | PF-CC (Public Facilities) | U (Undeveloped) |

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|------|----------------------|-------------------------------|-----------------|
| East | Undeveloped - Vacant | Planned Community Development | U (Undeveloped) |
| West | Undeveloped - Vacant | Planned Community Development | U (Undeveloped) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | X | N/A |
| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| Special Purpose and Overlay Districts | | X | N/A |
| Trails | | X | N/A |
| Rural Preservation Overlay District | | X | N/A |
| Development Impact Notification Assessment | | X | N/A |
| Project of Regional Significance | | X | N/A |

DESCRIPTION

The above properties are legally described as follows:

The west thirty-three feet (33') excepting the north fifty feet (50') of the East Half (E ½) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 25, Township 19 South, Range 59 East, M.D.M.

The east thirty-three feet (33') excepting the north fifty feet (50') of the East Half (E ½) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 25, Township 19 South, Range 59 East, M.D.M.

The south thirty-three feet (33') of the East Half (E ½) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 25, Township 19 South, Range 59 East, M.D.M.

The west thirty-three feet (33') excepting the north fifty feet (50') of the West Half (w ½) of the Northeast Quarter (NE ¼) of the northwest quarter (NW ¼) of Northwest Quarter (NW ¼) of Section 25, Township 19 South, Range 59 East, M.D.M.

The east thirty-three feet (33') excepting the north fifty feet (50') of the West Half (W ½) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 25, Township 19 South, Range 59 East, M.D.M.

The south thirty-three feet (33') of the West Half (W ½) Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 25, Township 19 South, Range 59 East, M.D.M.

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The north, south, west and east thirty-three feet of the East Half (E ½) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 25, Township 19 South, Range 59 East, M.D.M.

ANALYSIS

A) Planning discussion

This Petition to Vacate U.S. Government Patent Easements is a required in order to continue developing a residential project as planned. These parcels have been approved for a 414 unit multifamily project and the abandonment of these patent easements will facilitate the completion of this development. As this location has not changed since a similar Vacation (VAC-17077) was approved; staff recommends approval of this request.

B) Public Works discussion

Public Works has no objection to the vacation application request to vacate U.S. Government Patent Reservations generally located south of Centennial Parkway, west of Shaumber Road.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0